

### **REMARKS/ARGUMENTS**

Claims 1-5 stand rejected as being obvious over Dedrick, U.S. Patent 5,696,965 in view of Gilmour, et al., U.S. Patent 6,117,709. It is the Examiner's position that Dedrick discloses all of the elements in claim 1 other than a protection attribute comprising a binary number having a number of bits equal to the number of preferences where each bit of said binary number indicates whether a preference is to be public or private, and that it would be obvious in view of Gilmour to provide a binary number having these characteristics. It is respectfully submitted that claim 1, as amended, is not obvious over the cited reference and it is requested that claims 1-5 and 65, all of the claims in the application, be allowed.

Dedrick teaches protecting a personal profile database from access by others by encrypting the profile when it is not in use. As a result, anyone who does not have access to the encryption key cannot access the information in the personal profile. The purpose of Dedrick is to prevent people, other than the user, who have access to the computer in which the personal profile is stored from accessing the personal profile. This is accomplished by encrypting as a group all of the data in the personal profile, thereby making it unavailable without entering the encryption key. To successfully do this the encryption key must be rather complex so that it cannot easily be broken. While the encryption key in Dedrick certainly could be a binary number and the number of bits could be equal to the number of items in the personal profile, it would only be by remote chance that this would occur. Moreover, the binary number would never indicate

whether a particular item in the database is accessible or not. This is true for two reasons: first, in Dedrick the entire database is protected as a group rather than having some data elements protected and some not. Thus, by the very nature of the database each bit of a primary number could not indicate whether a particular piece of data was accessible or not. More importantly, even if Dedrick were to want to protect data individually, the database in Dedrick is being protected against others who have access to the computer on which the database is stored. Because of this, the encryption key must be something that cannot easily be broken by other users. In the subject invention, on the other hand, portions of the preferences are being kept from an outside service provider who does not have access to the computer on which the database resides and who could not change the binary number to access the data that is protected. If a binary number were used to protect individual items of personal profile in the system disclosed in Dedrick with one bit being equal to each piece of data, then others who have access to the computer could access all of the data simply by changing all of the bits to zero, in which case they would be able to access either all of the data or none of the data, and if it were the latter, then change all of the bits to one. Accordingly, not only is there nothing in Dedrick that would suggest using a binary number where each bit of the binary number indicates whether a particular piece of data is protected or not, doing this would be counter to what Dedrick is trying to accomplish.

Claims 2-5 and 95 depend from claim 1 and are allowable on the same basis as claim 1.

In summary, it is respectfully submitted that Dedrick does not teach selectively protecting individual items of data, but instead protects an entire body of data. Moreover, if Dedrick were to protect individual items of data and used a binary number having the number of bits equal to the number of items could be protected to do this, the system would be ineffective for its intended purpose, that is, keeping people who have access to the computer on which the data resides from obtaining access to the protected data. Thus, it would not be obvious to modify Dedrick in this manner.

For the foregoing reasons, it is respectfully submitted that all of the claims in this application are now allowable and it is requested that they be allowed and the application passed to issue.

Respectfully submitted,



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#### **CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 11, 2006.

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